

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Introduction – November 30, 2004  
Public Hearing – December 21, 2004

**CONTACT PERSON/PHONE:** Jorge E. Rousselin, 541-4723

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance granting Special Permit No. ZON04-00134 to allow for a parking reduction on the property described as Lots 9 and 10, Block 32, Franklin Heights (1318 Myrtle Avenue), El Paso, El Paso County, Texas pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Opportunity Center for the Homeless. Representative: Wright & Dalbin Architects Inc. **(District 8)**

**BACKGROUND / DISCUSSION:**

See attached staff report

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A **FINANCE:** (if required)  
N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:**

**DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00134, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 9 AND 10, BLOCK 32, FRANKLIN HEIGHTS (1318 MYRTLE AVENUE), EL PASO, EL PASO COUNTY, TEXAS PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**WHEREAS,** the **Opportunity Center for the Homeless** has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

**WHEREAS,** the requirements of Section 20.64.175 have been satisfied; and

**WHEREAS,** a report was made by the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS,** the City Plan Commission has recommended approval of the subject Special Permit; and

**WHEREAS,** the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the property described as follows is in a C-4 (Commercial) District, requiring fifteen (15) off-street parking spaces to serve a proposed single room occupancy housing facility and night shelter;

*Lots 9 and 10, Block 32, Franklin Heights, El Paso, El Paso County, Texas, municipally known and numbered as 1318 Myrtle Avenue; and*

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a **parking reduction of 73%**, so that the property, required to provide fifteen (15) off-street

parking spaces, can satisfy the parking requirements by providing four (4) off-street parking spaces;

4. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes;

5. That if at any time the off-street parking space described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00134**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this \_\_\_\_\_ day of **December, 2004**.

THE CITY OF EL PASO

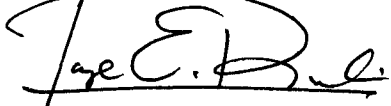
\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

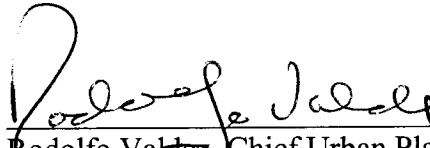
\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**(Signatures continued on following page)**

APPROVED AS TO CONTENT:



Jorge E. Rousselin, Urban Planner  
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

APPROVED AS TO FORM:



Matt Watson, Assistant City Attorney

## AGREEMENT

The **Opportunity Center for the Homeless**, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the C-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 17 day of NOVEMBER, 2004.

Signature: *Ray Tullius*  
Title: DIRECTOR

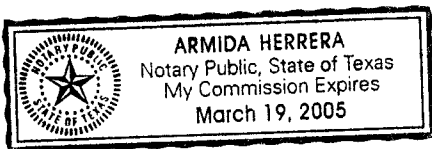
## ACKNOWLEDGMENT

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument is acknowledged before me on this 17 day of November, 2004, by Ray Tullius for the **Opportunity Center for the Homeless**, as Applicant.

My Commission Expires:

*Armida Herrera*  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Armida Herrera





**PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT**

**MEMORANDUM**

**DATE:** November 18, 2004

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Planning, Research & Development Department

**SUBJECT: ZON04-00134**

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The City Plan Commission (CPC), on November 11, 2004 voted 6-0 to recommend **APPROVAL** of ZON04-00134, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request the best interest, health, safety and welfare of the public in general; and that a milty-family dwelling with a 73% parking reduction is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request.

## **STAFF REPORT**

**Special Use Permit #:** ZON04-00134

**Property Owner(s):** Opportunity Center for the Homeless

**Applicant(s):** Same

**Representative(s):** Wright & Dalbin Architects

**Legal Description:** Lot 9 and 10, Block 32 Franklin Heights

**Location:** 1318 Myrtle Avenue

**Representative District:** # 8

**Area:** 10,000 Square Feet

**Zoning:** C-4 (Commercial)

**Existing Use:** Multi-family dwelling

**Proposed Use:** Multi-family dwelling -- 73% Parking Reduction

**Surrounding Land Uses:**

<b>North -</b>	C-4 (Commercial) / Residences
<b>South -</b>	C-4 (Commercial) / Residences
<b>East -</b>	C-4 (Commercial) / Residences
<b>West-</b>	C-4/sp (Commercial/special permit) / Residences

**Year 2025 Designation:** **Residential** (Central Planning Area)

**CITY PLAN COMMISSION HEARING, November 11, 2004  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

## **Special Use Permit: ZON04-00134**

### **General Information:**

The applicant is requesting a special permit to allow for multi-family housing and a 73% parking reduction. The property is currently zoned C-4 (Commercial). The site is currently multi-family and is 10,000 square feet in area. The proposed site plan shows an expansion to the existing buildings on the site. Access is proposed via Myrtle Ave. and an alley behind the property; Four (4) parking spaces are proposed. There are no zoning conditions currently imposed on this property. The City Council approved a special permit for a 69% parking reduction on May 2004. The net difference proposed is a 4% reduction for a total of 73% parking reduction.

### **Information to the Commission:**

The Planning, Research & Development Department has received no phone calls or letters in support or opposition to this application.

### **Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this special permit request.

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide designated locations for residential development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

**The Year 2025 Projected General Land Use Map** for the **Central** Planning Area designates this property for **Residential** land uses.

**C-4 (Commercial)** zoning permits a parking reduction by special permit.

The Commission must determine the following:

- A. Will a special permit for a 73% parking reduction protect the best interest, health, safety and welfare of the public in general?

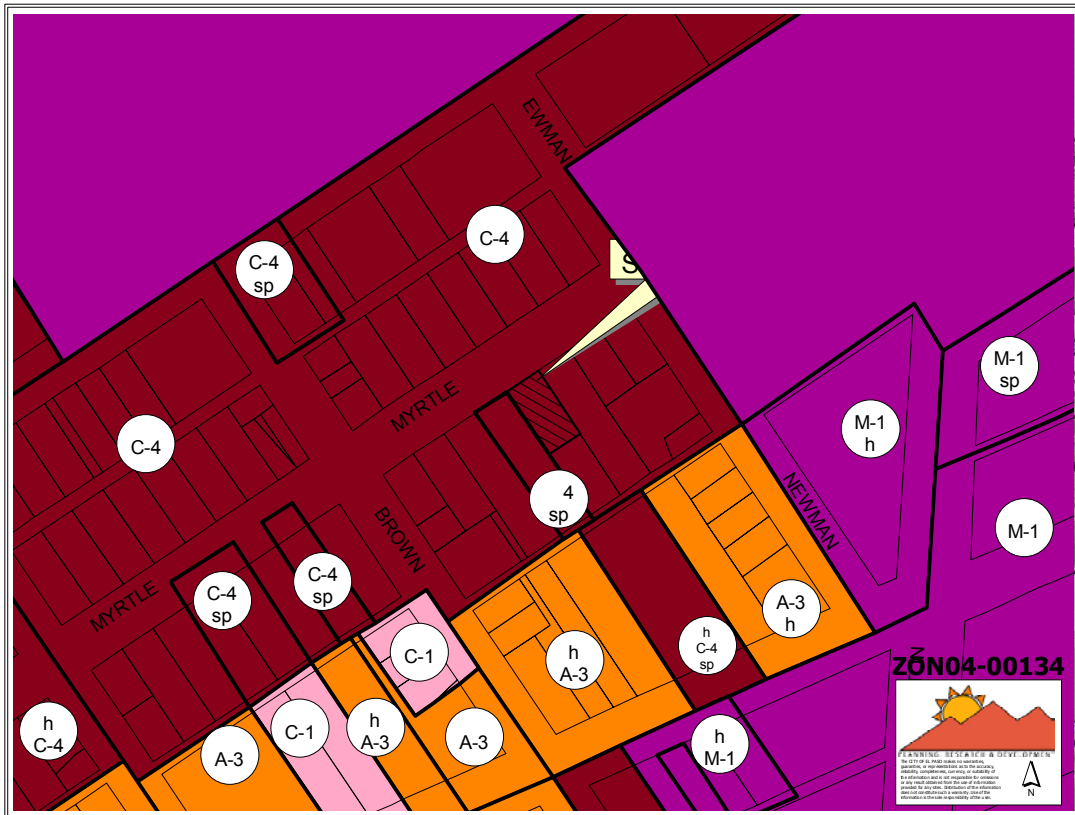
**Information To The Applicant:**

- Building Permits and Inspections Department, Zoning Division Notes:
  - Building Permits and Inspections does not object to the proposed **parking reduction**.
- Engineering Department, Development Division Notes:
  - See attachment 1
- Engineering, Traffic Division Notes:
  - See attachment 2
- Fire Department Notes:
  - Site Plan does not adversely affect the Fire Department
- El Paso Water Utilities Notes:
  - No comments
- Planning, Research and Development Department Notes:
  - Alley shall be paved to the point of entrance at the rear of the property.

**ATTACHMENT:** Location Map; Site Plan; Department Comments.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEPARTMENT OF PLANNING AT (915) 541-4056.

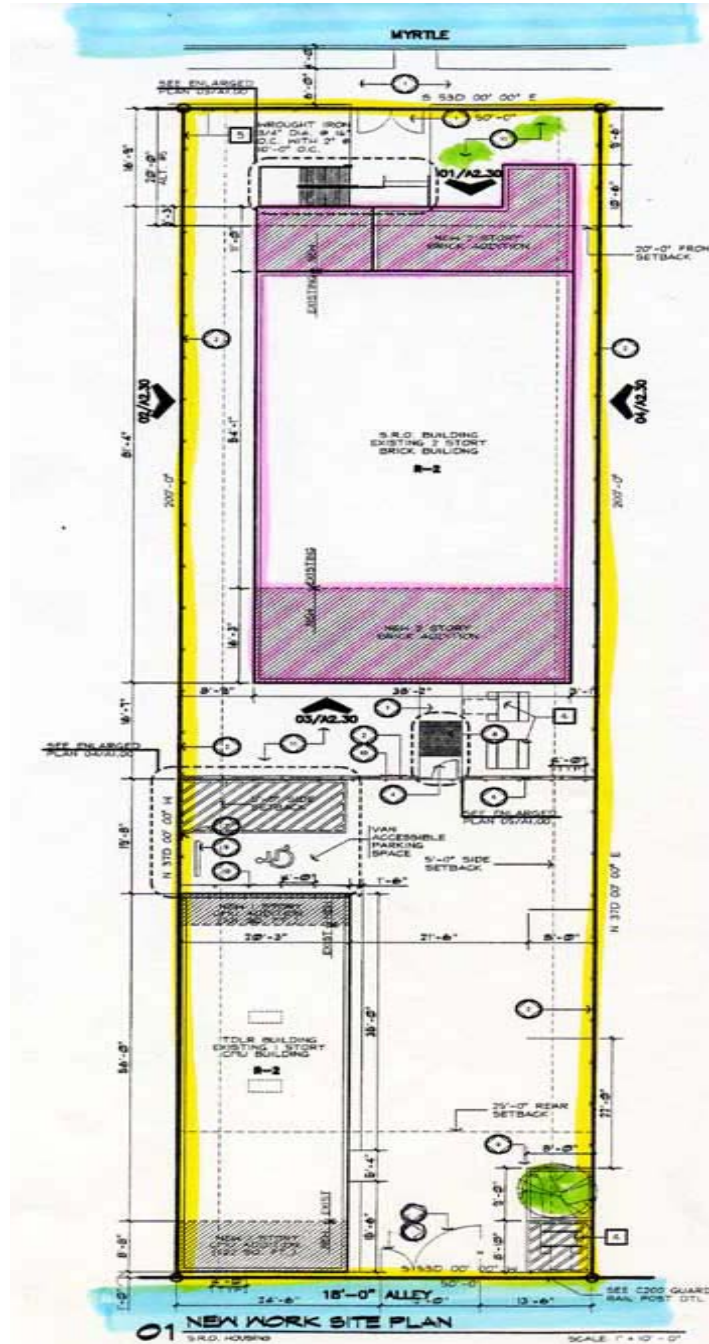
# ZONING MAP



# AERIAL



# SITE PLAN



TO: **PLANNING DEPARTMENT**  
FROM: **ENGINEERING DEPARTMENT**  
ATTN: **Kimberly Forsyth, Fred Lopez,  
or Jorge Rousellin, Urban Planners**

DATE: **October 29, 2004**  
ADDRESS: **1318 Myrtle Ave.**  
PROPOSED USE: **Single Fam Housing  
and night shelter**

**CASE NO.: ZON04-00134 ZONE: C-4**

**REQUEST: Special Use Permit review – 73% Parking reduction.**

**LEGAL DESCRIPTION: Lot 9 & 10, Blk 32, Franklin Heights.**

- ☐ 1. No comments
- ☐ 2. Must be submitted as a subdivision
- ☒ 3. Sidewalks will be required,
- ☒ 4. Grading plan and permit required.
- ☒ 5. Storm Water Pollution Prevention details required.
- ☐ 6. Storm Water Pollution Prevention plan and permit required.
- ☒ 7. Drainage plans must be approved by the City Engineer
- ☐ 8. On site ponding will be required.
- ☐ 9. Private pond is required.
- ☐ 10. No water runoff allowed unto \_\_\_\_\_
- ☐ 11. Additional R.O.W. required.
- ☒ 12. Additional Comments: Site location is **not** located within the Special Flood Hazard Area. Zone **C**, Panel **39 B**.

Bashar Abugalyon, P. E.  
Chief Development Engineer

DISTRICT: **8**

HME

**DHCC Action:**

Approved. \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_



## ENGINEERING DEPARTMENT

Traffic Division  
memorandum

TO: Fred Lopez, Planner II  
Jorge Rousselin, Urban Planner  
Planning Department

FROM: Traffic Division

DATE: October 28, 2004

SUBJECT: ZON04 – 00134 1318 Myrtle Avenus  
Special Use Permit for a cellular tower

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Regarding the above referenced DCC item, the Traffic Division has the following comments:

- **Traffic counts at peak hour (12:00pm) show 78 available parking spaces**
- **Parking area shall be paved according to City Standards.**
- **Alley shall be paved according to City Standards.**

Should your office or the applicant have any questions or comments regarding these issues, please contact Margarita Molina, at 541-4223.